

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT LYNCHBURG, VA
FILED
FEB 20 2007
JOHN F. CORCORAN, CLERK
BY: *[Signature]* DEPUTY CLERK

JERMAINE M. CALLUM,
Petitioner,

v.

UNITED STATES OF AMERICA,
Respondent.

Civil Action No. 7:06cv00472

ORDER

By: Hon. Norman K. Moon
United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby

ORDERED

as follows:

1. The government's motion to dismiss shall be and hereby is taken under advisement;
and
2. The matter is referred to United States Magistrate Judge B. Waugh Crigler for an evidentiary hearing on the issue of whether Callum requested his counsel file a direct appeal. The Magistrate Judge shall submit to the court a report setting forth findings of fact, conclusions of law, and a recommended disposition of this claim, pursuant to 28 U.S.C. § 636(b)(1)(B).

The Clerk is directed to send certified copies of this Order and the accompanying Memorandum Opinion to the petitioner, counsel of record for the respondent, and Judge Crigler.

ENTER: This 20th day of February, 2007.

[Signature]
United States District Judge